



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,793	04/09/2004	Luc J. Farmer	VPI/03-170 US

27916  
VERTEX PHARMACEUTICALS INC.  
130 WAVERLY STREET  
CAMBRIDGE, MA 02139-4242

09/01/2004 EFLORES 00000083 500725 10821793

01 FC:1001 770.00 DA  
02 FC:1203 250.00 DA  
03 FC:1202 594.00 DA  
04 FC:1051 130.00 DA

CONFIRMATION NO. 9337

FORMALITIES LETTER

\*OC000000013080288\*

\*OC000000013080288\*

Date Mailed: 06/28/2004

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$2288 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3188** for a Large Entity


- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2288**

- \$1998 for 111 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

**VERTEX PHARMACEUTICALS INCORPORATED**

130 Waverly Street  
Cambridge, MA 02139-4242  
Tel. 617.444.6100 Fax 617.444.6680  
www.vrtx.com

**FAX**

<b>To</b>	MISSING PARTS
<b>Company</b>	USPTO
<b>FAX</b>	(703) 746-4060
<b>From</b>	Michael C. Badia
<b>Date</b>	August 30, 2004
<b>Subject</b>	Application No. 10/821,793 Attorney Docket No. VPI/03-170 US
<b>Total Pages</b>	<del>47</del> 48

**Message or Comment**

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 28, 2004 attached are a Preliminary Amendment (33 pages); a Transmittal Letter for Response to the Notice to File Missing Parts of Nonprovisional Application (2 pages, in duplicate); a copy of the Notice to File Missing Parts of Nonprovisional Application (2 pages); an executed Declaration/Power of Attorney document (6 pages); and a Fee Transmittal Sheet (1 page, in duplicate); relating to the above-identified application.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to the United States Patent and Trademark Office, Facsimile Number: (703) 746-4060 on this 30<sup>th</sup> day of August 2004.

Karen DiRocco

RECEIVED  
SEP - 1 2004  
OIPE/JCWS

If any problems occur with this fax transmittal, please call (617) 444-6467 immediately.

FAX Number (617) 444-6483 Legal Department

**CONFIDENTIALITY NOTICE**

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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# **FEE TRANSMITTAL** **for FY 2004**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **1,784.00**
**Complete if Known**

Application Number	10/821,793
Filing Date	April 9, 2004
First Named Inventor	Luc J. Farmer
Examiner Name	Not Yet Assigned
Group Art Unit	1814
Attorney Docket No.	VP/03-170 US

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

 Deposit Account Number **50-0725**

 Deposit Account Name **Vertex Pharmaceuticals**

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**
**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>770.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
53	-20** = 33	18.00	594.00
1	-3** = 0	88.00	0.00
Multiple Dependent		200.00	200.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>884.00</b>

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**
**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **130.00**
**SUBMITTED BY**

 Name (Print/Type) **Michael C. Badia**  
 Signature *Michael C. Badia*

 Registration No. (Attorney/Agent) **51,424**
**Complete (if applicable)**

 Telephone **(617) 444-6467**

 Date **August 30, 2004**

VPI/03-170USIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luc J. Farmer, et al.  
Serial No.: 10/821,793  
Filing Date: April 9, 2004  
Group Art Unit: 1614  
Examiner: Not Yet Assigned  
Confirmation No.: 9337  
For: INHIBITORS OF SERINE PROTEASES, PARTICULARLY  
HCV NS3-NS4A PROTEASE

Cambridge, Massachusetts  
August 30, 2004

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE TO THE  
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

Transmitted herewith in response to the Notice to File Missing Parts of  
Nonprovisional Application – Filing Date Granted, mailed June 28, 2004 in the above-  
identified application, are the following:

1. Faxcover Sheet to the Patent Office (1 page);
2. Preliminary Amendment (33 pages);
3. Fee Transmittal for FY 2004 (1 page, in duplicate);
4. Notice to File Missing Parts of Nonprovisional Application (2 pages); and
5. Executed Declaration document (6 pages).

Atty. Docket No.: VPI/03-170 US  
U.S.S.N.: 10/821,793  
Applicants: Farmer, et al.

-2-

Applicants hereby authorize the Commissioner to charge Deposit Account No. 50-0725 in the amount of \$1,784.00 to cover the filing fee and the surcharge (see 37 C.F.R. §1.27 and 37 C.F.R. §1.16(e)).

Applicants believe that no additional fees are due at this time. However, the Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. §1.16 in connection with the papers transmitted herewith, or credit any overpayment of the same, to Deposit Account No. 50-0725. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Michael C. Badia, Reg. No. 51,424  
Attorney for Applicants  
c/o Vertex Pharmaceuticals Incorporated  
130 Waverly Street  
Cambridge, MA 02139-4242  
Tel.: (617) 444-6467  
Fax.: (617) 444-6483